



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.11.2017

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

CRP(PD)(MD)No.2070 of 2017

B.Mahalakshmi ... Petitioner/Petitioner/Respondent

vs.

Jeyakumar ... Respondent/Respondent/Petitioner

Petition filed under Article 227 of the Constitution of India, to direct the Family Court, Trichirappalli, to dispose I.A.No.178 of 2016 in HMOP.No.330 of 2014, on its file within stipulated time fixed by this Hon'ble Court on merits and in accordance with law.

For Petitioner : Mr.V.Manikandan

ORDER

This revision petition has been filed to issue a direction to the learned Family Court Judge, Trichirappalli, to dispose of I.A.No.178 of 2016 in HMOP.No.330 of 2014, within a time frame to be fixed by this Court.

2.Learned counsel for the petitioner would aver that the revision petitioner and the respondent are wife and husband. The petitioner/wife filed HMOP.No.193 of 2012 on the file of the Sub Court, Theni, for restitution of conjugal rights and the respondent filed HMOP.No.330 of 2014 on the file of the Family Court, Trichirappalli, for divorce, in which an exparte order was passed on 22.05.2015. Hence, the petitioner filed a restoration petition in I.A.No.178 of 2016 in HMOP.No.330 of 2014 and the respondent filed counter on 23.08.2016, but the learned Judge adjourned the case on 21.06.2017 for respondent side arguments.

3.It is further contended that the petitioner is not able to travel every time to attend the hearings of the above I.A due to poor health condition and in view of the fact that the petitioner is a lady aged 31 years and deserted by her husband with a female child, the learned counsel sought for early disposal of the I.A as the I.A is pending from 2016 onwards. Learned counsel for the petitioner would also bring to the notice of this Court that HMOP.No.193 of 2012 filed by the petitioner on the file of the Sub Court, Theni, for restitution of conjugal rights was allowed on 08.01.2014 in favour of the petitioner. Hence, the petitioner has come up with this revision petition.



4. Since it is only a petition for early disposal of I.A which is pending from 2016, no notice is necessary to the respondent.

5. Considering the facts and circumstances of the case, this Court feels that ends of justice would be met by directing the Court below to dispose of the above I.A within a time frame. Accordingly, the learned Family Court Judge, Trichirappalli, is directed to dispose of I.A.No.178 of 2016 in HMOP.No.330 of 2014 in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, this Civil Revision Petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar.

To

The Judge,
Family Court,
Trichirappalli.

+1CC to Mr.V.Manikandan, Advocate, SR.No. 87660

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